IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs. No. CR 95-0014 JB

SEBASTIAN LEIGH ECCLESTON,

Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on: (i) the Emergency Motion for Compassionate Release Pursuant to 18 U.S.C. § 3582(c)(1)(A), filed April 15, 2020 (Doc. 307)("Compassionate Release Motion"); (ii) the Amended Motion for Sentence Modification Pursuant to 18 U.S.C. § 3582(c)(1)(A) and Under the First Step Act and the Cares Act, filed December 14, 2020 (Doc. 335)("Amended Motion"); and (iii) the Defendant Sebastian S. Eccleston's Amended and Supplemental Motion for Reduced Sentence Pursuant to the First Step Act and 18 U.S.C. § 3582, filed February 10, 2021 (Doc. 339)("Second Amended Motion"). The Court held a hearing on April 7, 2021. See Clerk's Minutes at 1, filed April 7, 2021 (Doc. 353). The primary issues are: (i) whether Defendant Sebastian Leigh Eccleston has exhausted his administrative remedies, where S. Eccleston's initial compassionate release request was denied on April 21, 2020; (ii) whether extraordinary and compelling circumstances warrant reduction in S. Eccleston's sentence under the First Step Act of 2018, 18 U.S.C. § 3582(c)(1)(A) ("First Step Act"); (iii) whether a sentence reduction is consistent with the applicable policy statements that the

¹Defendant Sebastian Leigh S. Eccleston's counsel filed the Second Amended Motion, but S. Eccleston, acting pro se, filed the Motion and the Amended Motion.